



37618  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
**TUMEY, David**

Serial No.: 10/090,358

Filed: **March 4, 2002**

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Examiner: TRUONG, Llinh T.

Group Art Unit: 3761

Attorney Docket No.: VAC.702.US

For: **VACUUM ASSISTED WOUND TREATMENT APPARATUS AND INFECTION IDENTIFICATION SYSTEM AND METHOD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

37 C.F.R. § 1.8

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*Robert W. Mason*  
Robert W. Mason

Dear Sir or Madam:

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**UNDER 37 C.F.R. §1.97**  
**First Supplemental Statement**

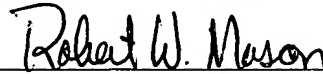
TECHNOLOGY CENTER R3700

In compliance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant submits herewith a Form PTO/SB/08A and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of the application. This Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(c)(2). The Commissioner is authorized to charge the required fees to deposit account no. 500326.

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00000097 500326  
03/31/2004 090811 180.00 DA  
02 FC:1806

Applicant respectfully requests full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert W. Mason". The signature is written in dark ink and is positioned above a horizontal line.

Robert W. Mason

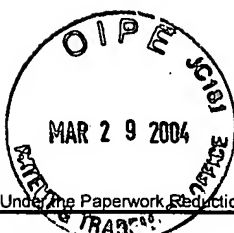
Reg. No. 42,848

Attorney for the Applicant

Telephone: (210) 255-6271

Facsimile: (210) 255-6969

Enclosures: Form PTO/SB/08A (5 pages)  
Copies of references listed on Form PTO/SB/08A  
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Sheet 1 of 6

**Complete if Known**

Application Number	10/090,358
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First Named Inventor	TUMEY, David
Art Unit	3761
Examiner Name	TRUONG, Linh T.
Attorney Docket Number	VAC.702.US

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 1355846	10-19-1920	Rannells	Figs. 1, 2
		US- 2547758	04-03-1951	Keeling	Fig. 2
		US- 2632443	03-24-1953	Leshner	Figs. 1, 2
		US- 2682873	07-06-1954	Evans et al.	Fig. 2
		US- 2969057	01-24-1961	Simmons	Figs. 1-6
		US- 3367332	02-06-1968	Groves	Figs. 1, 4
		US- 3648692	03-14-1972	Wheeler	Fig. 1
		US- 3682180	08-08-1972	McFarlane	Fig. 3
		US- 3826254	07-30-1974	Mellor	Fig. 2
		US- 4080970	03-28-1978	Miller	Column 1 - Column 3
		US- 4096853	06-27-1978	Weigand	Column 3, Lines 2-20
		US- 4139004	02-13-1979	Gonzalez	Column 4
		US- 4165748	08-28-1979	Johnson	Fig. 2
		US- 4245630	01-20-1981	Lloyd et al.	Fig. 1
		US- 4261363	04-14-1981	Russo	Figs. 1, 4, 5
		US- 4275721	06-30-1981	Olson	Fig. 1
		US- 4284079	08-18-1981	Adair	Fig. 3
		US- 4297995	11-03-1981	Golub	Fig. 1
		US- 4333468	06-08-1982	Geist	Fig. 2, 4

**FOREIGN PATENT DOCUMENTS**

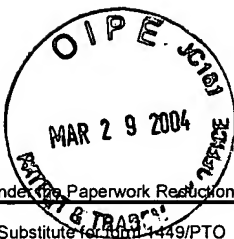
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		AU-550575-A1	08-26-1982	Wright	P.4, lines 7-10	
		EP-0100148	02- 1984		Abstract	

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Sheet 2 of 6

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Examiner Name	TRUONG, Linh T.
Attorney Docket Number	VAC.702.US

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TECHNOLOGY CENTER R3700**U. S. PATENT DOCUMENTS**

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 4373519	02-15-1983	Errede et al.	Column 4
		US- 4382441	05-10-1983	Svedman	Figs. 3-5
		US- 4392853	07-12-1983	Muto	Fig. 11
		US- 4392858	07-12-1983	George et al.	Column 3, Lines 5-58
		US- 4419097	12-06-1983	Rowland	Fig. 8
		US- 4475909	10-09-1984	Eisenberg	Figs. 1, 3, 6
		US- 4480638	11-06-1984	Schmid	Figs. 2, 3
		US- 4525166	06-25-1985	Leclerc	Column 5-6
		US- 4525374	06-25-1985	Vailancourt	
		US- 4540412	09-10-1985	Van Overloop	Column 2
		US- 4543100	09-24-1985	Brodsky	Fig. 4
		US- 4551139	11-05-1985	Plaas et al.	C1, L 66 - C2, L68
		US- 4569348	02-11-1986	Hasslinger	C2, L50 - C4, L 27
		US- 4605399	08-12-1986	Weston et al.	Fig. 3
		US- 4608041	08-26-1986	Nielson	
		US- 4640688	02-03-1987	Hauser	Fig. 2
		US- 4655754	04-07-1987	Richmond et al.	Column 1, Line 39-44
		US- 4733659	03-29-1988	Edenbaum et al.	Fig. 1
		US- 4743232	05-10-1988	Kruger	Figs. 2-4

**FOREIGN PATENT DOCUMENTS**

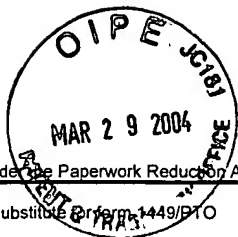
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**INFORMATION DISCLOSURE  
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Sheet 3

of 6

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Application Number	10/090,358
Filing Date	March 4, 2002
First Named Inventor	TUMEY, David
Art Unit	3761
Examiner Name	TRUONG, Linh T.
Attorney Docket Number	VAC.702.US

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 4787888	11-29-1988	Fox	Figs. 1, 4-6
		US- 4826949	05-02-1989	Richmond et al.	Column 1
		US- 4838883	06-13-1989	Matsuura	Fig. 7
		US- 4840187	06-20-1989	Brazier	Column 2, Line 34-42
		US- 4863449	09-05-1989	Therriault et al.	Column 3, Line 45-68
		US- 4872450	10-10-1989	Austad	Column 3-4
		US- 4878901	11-07-1989	Sachse	
		US- 4897081	01-30-1990	Poirier et al.	C3, L25 - C4
		US- 4906233	03-06-1990	Moriuchi et al.	Abstract
		US- 4906240	03-06-1990	Reed et al.	Fig. 1
		US- 4919654	04-24-1990	Kalt	Column 3, Line 8-39
		US- 4941882	07-17-1990	Ward et al.	Column 3, Line 38-64
		US- 4953565	09-04-1990	Tachibana et al.	Fig. 1
		US- 4969880	11-13-1990	Zamierowski	Figs. 1-10
		US- 4985019	01-15-1991	Michelson	Column 1, Line 47-58
		US- 5037397	08-06-1991	Kalt et al.	Figs. 1, 2, 4, 6
		US- 5100396	03-31-1992	Zamierowski	Figs. 1-10
		US- 5149331	09-22-1992	Ferdman et al.	Column 2, Line 12-34
		US- 5167613	12-01-1992	Karami et al.	Figs. 4-5

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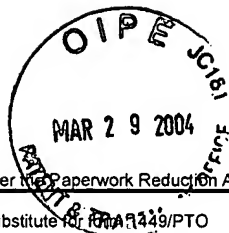
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Sheet 4 of 6

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		US- 5176663	01-05-1993	Svedman et al	C1, L55 - C2, L8
		US- 5232453	08-03-1993	Plass et al.	Fig. 2, 5
		US- 5261893	11-16-1993	Zamierowski	Figs. 1, 13, 16
		US- 5298015	03-29-1994	Komatsuzaki et al.	Abstract
		US- 5344415	09-06-1994	Debusk et al.	Column 2, Line 9 -42
		US- 5358494	10-25-1994	Svedman	Column 2, Line 34-47
		US- 5527293	06-18-1996	Zamierowski	C11, L 62 - C12, L37
		US- 5556375	09-17-1996	Ewall	C3, L62 - C4, L65
		US- 5607388	03-04-1997	Ewall	Column 3-4
		US- 5636643	06-10-1997	Argenta et al.	C6, Lines 18 - 64
		US- 5645081	07-08-1997	Argenta et al.	C4, L28 - C5, L22
		US- 6071267	06-06-2000	Zamierowski	Figs. 1-3
		US- 6135116	10-24-2000	Vogel et al.	Column 9
		US- 20020115951 A1	08-22-2002	Norstream et al.	
		US- 20020120185 A1	08-29-2002	Johnson	Fig. 3
		US- 20020143286 A1	10-03-2002	Tumey	Paragraph 26
		US- 6488643	12-03-2002	Tumey et al.	
		US- 6493568	12-10-2002	Bell, et al.	
		US- 4,233,969	11-18-1980	Lock, et al.	C2, Lines 25 - 53

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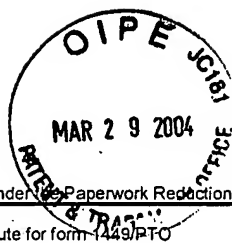
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Sheet 6 of 6

**OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		LOUIS C. ARGENTA, MD and MICHAEL J. MORYKOWAS, PHD; Vacuum-Assisted Closure: A New Method for Wound Control and Treatment: Clinical Experience; Annals of Plastic Surgery, Volume 38, Number 6, June 1997, pages 563-577; Lippincott Williams & Wilkins, Inc., Philadelphia, PA, U.S.A.	
		SUSAN MENDEZ-EASTMAN, RN; When Wounds Won't Heal, RN January 1998, Volume 61(1); Medical Economics Company, Inc., Montvale, NJ, USA.	
		JAMES H. BLACKBURN II, MD et al.; Negative-Pressure Dressings as a Bolster for Skin Grafts; Annals of Plastic Surgery, Volume 40, Number 5, May 1998, pages 453-457; Lippincott Williams & Wilkins, Inc., Philadelphia, PA, USA	
		JOHN MASTERS; Letter to the editor; British Journal of Plastic Surgery, 1998, Volume 51(3), page 267; Elsevier Science/The British Association of Plastic Surgeons, United Kingdom	
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